

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
11020 Sun Center Drive #200, Rancho Cordova, CA 95670

**NOTICE OF PUBLIC HEARING**  
concerning

**RENEWAL OF WASTE DISCHARGE REQUIREMENTS  
(NPDES NO. CA0084760)  
AND TIME SCHEDULE ORDER**

For

**KINDER MORGAN ENERGY PARTNERS, L.P.,  
THROUGH ITS OPERATING PARTNERSHIP SFPP, L.P.  
FOX ROAD PETROLEUM RELEASE SITE, GROUNDWATER REMEDIATION SYSTEM  
SOLANO COUNTY**

Kinder Morgan Energy Partners, L.P., through its operating partnership SFPP, L.P. (Discharger), owns and operates the Fox Road Petroleum Release Site, Groundwater Remediation System (Facility). The Discharger owns and operates a groundwater treatment system to treat groundwater contaminated with petroleum hydrocarbons from a release in 1993. The design flow capacity of the Facility is 216,000 gallons per day (gpd). The United States Environmental Protection Agency and the Central Valley Regional Water Quality Control Board (Central Valley Water Board) have classified this discharge a minor discharge. Treated groundwater is discharged to the Gibson Canyon Creek Flood Control Channel, a water of the United States, tributary to the Sacramento – San Joaquin Delta.

Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2008-0008, adopted by the Central Valley Water Board on 25 January 2008, allowing a discharge of up to 216,000 gpd of treated groundwater to the Gibson Canyon Creek Flood Control Channel. The Discharger was unable to meet final effluent limitations for iron, manganese, nitrate, and tertiary butyl alcohol. Therefore, the Central Valley Water Board adopted Time Schedule Order R5-2008-0009-01 that provides compliance time schedules for these effluent limits. The proposed NPDES permit renewal retains the effluent limitations for iron, manganese, nitrate and tertiary butyl alcohol, and the Discharger needs additional time to comply. Therefore, a Time Schedule Order is also proposed to extend the time schedules for compliance for these effluent limits until 31 December 2014.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting scheduled for:

DATE: 25/26 July 2013  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board Room  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Kinder Morgan Energy Partners, L.P., representatives

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are

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interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5:00 p.m. on 10 June 2013**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge. All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5:00 p.m. on 10 June 2013**. Written evidence or comments submitted after **5:00 p.m. on 10 June 2013** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

Anyone having questions regarding the hearing item should contact Kari Holmes at (916) 464-4843 or [kholmes@waterboards.ca.gov](mailto:kholmes@waterboards.ca.gov). Interested parties may download the tentative Orders and related documents from the Central Valley Water Board's Internet website at [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. **The final meeting agenda will be available at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order(s).**

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing [http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.



KENNETH D. LANDAU, Assistant Executive Officer

7 May 2013